

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

DAVID MARTINEZ, a/k/a	:	
ROBERT VASQUEZ,	:	
Plaintiff,	:	
	:	
v.	:	Docket No. 2:12-CV-179
	:	
STATE OF CALIFORNIA,	:	
STEPHEN DREW,	:	
STATE OF CALIFORNIA DEPARTMENT	:	
OF CORRECTIONS,	:	
Defendants.	:	

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed August 14, 2012. Plaintiff's objections were filed on September 14, 2012, October, 1, 5, 9, and 10, 2012.

A district judge must make a *de novo* determination of those portions of a magistrate judge's report and recommendation to which an objection is made. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b) (1); *Perez-Rubio v. Wyckoff*, 718 F.Supp. 217, 227 (S.D.N.Y. 1989). The district judge may "accept, reject, or modify, in whole or in part, the magistrate's proposed findings and recommendations." *Id.*

After careful review of the file, the Magistrate Judge's Report and Recommendation and the objections, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

It is hereby ORDERED that this case be TRANSFERRED pursuant to 28 U.S.C., §1406 to the United States District Court for the Eastern District of California.

Dated at Burlington, in the District of Vermont, this 15th day of October, 2012.

/s/ William K. Sessions III
William K. Sessions III
District Court Judge